

Serial No. 10/069685

Amendments to the Drawings:

Replacement sheets for Figs. 1 through 4b are attached.

Att.

6 Replacement Sheets

REMARKS

Drawings

Replacement drawing sheets, pages 1-6, are submitted with this response. As these were present in the International application as filed, PCT/EP00/05709, from which the present application is derived, these do not constitute added subject matter.

Information Disclosure Statement

An Information Disclosure Statement is submitted with this response and lists the two foreign references, WO 98/13765 and EP 0 909 082, already provided by Applicant.

Claims 1-16 are pending in this application and are maintained unamended from their form upon entry into the US national phase.

Claim Rejections – 35 USC § 102

The Examiner rejects claims 1-16 under 35 U.S.C. 102(e) as being anticipated by Gisby et al ("Gisby", US Pat No. 6,044,146).

Gisby is concerned with a method and apparatus for call distribution, in which prioritization is used to order incoming calls in a routing queue awaiting response by agents dealing with calls. Thus, if a call assigned a high priority is received, it is directed to, or near, the head of the queue and might even displace a lower priority call already in progress.

The priority assigned to a call might depend, for example, on the purpose of a call. A sales call might be considered to have a higher priority than a call that merely seeks additional information about a product or service (Column 1, line 67 to Column 2, line 4).

Priority might be determined by the call routing system having access to a database containing information about callers. Also, information about a call or caller might be forwarded with a call, and that information used to determine and assign priority (Column 2, lines 57-65).

Where a database of client information is used to establish priority, a caller-ID might be used to find the relevant information. For example, priority might be given to calls from certain clients. Additional information elicited from callers during the process might also be used, for example, the caller's intent. (Column 5, line 53 to Column 6, line5). This might be carried out by an IVR (interactive voice response) unit.

The present invention is concerned, in one aspect, with a method in which a user accesses an information source, which is specified in claim 1 to be a Web server, and that the monitored interaction of the user with the information source is used by a rule to assign a position to the user in a queue.

Gisby is silent about monitoring user interaction with a Web server, or indeed, about monitoring any behavioral activities of a user. It follows, therefore, that in the absence of such a step, there is also no disclosure or suggestion in Gisby of using the results of such monitoring to assign a place in a queue to the user. Accordingly, claim 1 is not anticipated by Gisby.

Similar arguments apply to independent apparatus claim, claim 13, which is thus also patentable.

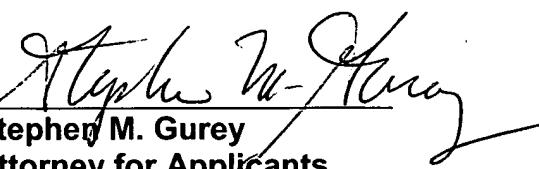
The other claims, 2-12 and 14-16, are each dependent, directly or indirectly, on an allowable independent claim, and for this reason at least are also patentable.

Applicant requests reconsideration of this application based on this amendment. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact applicants' undersigned attorney at 973, 386-8252.

Respectfully submitted,

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By


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Atts.

6 Sheets Replacement Drawings
Information Disclosure Statement with 2 refs.

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